

13281 U.S. PTO  
041904

Patent  
Attorney Docket No. 016800-678

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FOR FILING CONTINUATION/DIVISIONAL  
APPLICATION UNDER 37 C.F.R. § 1.53(b)

22387 U.S. PTO  
10/826316  
041904

Mail Stop PATENT APPLICATION

Customer Number 21839

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a request for filing a ☐ continuation ☒ divisional application under 37 C.F.R. § 1.53(b) of the following pending application, by the following named inventor(s):

Application No. 09/902,266 Filed: JULY 11, 2001

Title:

VITAMIN/METAL SALT COMPOSITIONS FOR REDUCING HAIR LOSS AND/OR PROMOTING  
HAIR REGROWTH

Inventor(s): OLIVIER DE LACHARRIERE and FRANCIS PRUCHE

- ☒ The entire disclosure of the prior application from which a copy of the oath or declaration is supplied herewith is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- ☐ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. § 1.63(d)(2), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application.

- ☐ This application is being filed by more than all the inventors named in the prior application. In accordance with 37 C.F.R. § 1.63(d)(5), a new oath or declaration is enclosed, and the Commissioner is requested to add the name(s) of the following person or persons who are inventors of the invention being claimed in this application.

☐ Applicant(s) suggests Figure \_\_\_\_ for inclusion on the front page of the patent application publication and patent.

☒ Applicant(s) requests that the published application include the following assignment information:

L'ORÉAL

14, RUE ROYALE

75008 PARIS, FRANCE

1. ☒ Enclosed is a copy of the prior Application No. 09/902,266 as originally filed on JULY 11, 2001, including copies of the specification, claims, drawings and the executed oath or declaration as filed.
2. ☐ Enclosed is a revised prior application and a copy of the prior executed oath or declaration as filed. No new matter has been added to the revised application.
3. ☐ Small entity status is hereby claimed.
4. ☒ The filing fee is calculated below ☒ and in accordance with the enclosed preliminary amendment.

CLAIMS					
	No. of Claims		Extra Claims	Rate	Fee
Basic Application Fee (1001)					\$ 770.00
Total Claims	22	MINUS 20 =	2	x \$18.00 (1202) =	\$ 36.00
Independent Claims	3	MINUS 3 =	0	x \$86.00 (1201) =	\$ 0.00
If multiple dependent claims are presented, add \$290.00 (1203)					\$ 0.00
Total Application Fee					\$ 806.00
<input type="checkbox"/> Small Entity Status claimed - subtract 50% of Total Application Fee					\$ 0.00
Add Assignment Recording Fee of \$40.00 (8021) if Assignment document is enclosed.					\$ 0.00
TOTAL APPLICATION FEE DUE					\$ 806.00

5. ☐ This application is being filed without a filing fee. Issuance of a Notice to File Missing Parts of Application is respectfully requested.
6. ☐ Charge \_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due.
7. ☒ A check in the amount of 806.00 is enclosed for the fee due.
8. ☐ Charge \_\_\_\_\_ to credit card. Form PTO-2038 is attached.
9. ☒ The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

10. ☐ Cancel in this application original claims \_\_\_\_\_  
of the prior application before calculating the filing fee.
11. ☐ New drawings are enclosed.
12. ☒ Applicant(s) claims priority under 35 U.S.C. § 119 of the following application(s):

Country	Application No.	Filing Date MM-DD-YYYY
FRANCE	00/09063	JULY 11, 2000

- ☒ The certified copy of the priority application
- ☐ is enclosed.
- ☒ was filed on JULY 11, 2001 in prior Application No. 09/902,266,  
filed on JULY 11, 2001, and acknowledged by the Examiner on  
NOVEMBER 5, 2002 in Paper No. 7.
- ☐ has not yet been filed.

13. ☒ A preliminary amendment is enclosed.
14. ☐ An Information Disclosure Statement is enclosed.
15. ☐ A General Authorization for Payment of Fees and Petitions for Extensions of Time is enclosed.
16. ☐ Also enclosed is \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

17. ☒ The power of attorney in the prior application is to \_\_\_\_\_  
\_\_\_\_\_
- a. ☒ The power appears in the original papers in the prior application.
- b. ☐ Since the power does not appear in the original papers, a copy of the power in the  
prior application is enclosed.
- c. ☐ Recognize as Associate Attorney Norman H. Stepno, Registration No. 22,716 and all  
partners of Burns, Doane, Swecker & Mathis, L.L.P.  
\_\_\_\_\_  
\_\_\_\_\_

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

UTILITY PATENT  
APPLICATION TRANSMITTAL LETTER

Box PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Enclosed for filing is the utility patent application of OLIVIER DE LA CHARRIERE and FRANCIS PRUCHE for VITAMIN/METAL SALT COMPOSITIONS FOR REDUCING HAIR LOSS AND/OR PROMOTING HAIR GROWTH.

- ☐ Applicant(s) hereby request(s) that the above-captioned application **NOT BE PUBLISHED** under 35 U.S.C. § 122(b) and 37 C.F.R. § 1.211. The undersigned hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.
- ☐ Applicant(s) suggest(s) Figure \_ for inclusion on the front page of the patent application publication and patent.

Also enclosed are:

- ☐ \_\_\_\_\_ sheet(s) of ☐ formal ☐ informal drawing(s);
- ☒ a claim for foreign priority under 35 U.S.C. §§ 119 and/or 365 is ☒ hereby made to FR-00/09063 filed in FRANCE on JULY 11, 2000;
- ☒ in the declaration;
- ☒ a certified copy of the priority document;
- ☐ a General Authorization for Petitions for Extensions of Time and Payment of Fees;
- ☐ an Assignment document;
- ☒ an Information Disclosure Statement;
- ☐ a patent application bibliographic data sheet; and
- ☒ Other: Search Report issued in French priority counterpart.
- ☒ An ☐ executed ☒ unexecuted declaration of the inventor(s)
- ☒ [X] also is enclosed ☐ will follow.
- ☐ Please amend the specification by inserting before the first line the sentence --This application claims priority under 35 U.S.C. §§ 119 and/or 365 to \_ filed in \_ on \_; the entire content of which is hereby incorporated by reference.--

7-11-00ND



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☐ Please amend the specification by inserting before the first line the sentence:

--This application is a continuation of International Application No.      filed on     , which International Application ☐ was ☐ was not published by the International Bureau in English on     .

☐ Small entity status is hereby claimed.

☒ The filing fee has been calculated as follows ☐ and in accordance with the enclosed preliminary amendment:

C L A I M S					
	NO. OF CLAIMS		EXTRA CLAIMS	RATE	FEE
Basic Application Fee					\$710.00 (101)
Total Claims	67	MINUS 20 =	47	× \$18.00 (103) =	\$846.00
Independent Claims	7	MINUS 3 =	4	× \$80.00 (102) =	\$320.00
If multiple dependent claims are presented, add \$270.00 (104)					
Total Application Fee					\$1,876.00
If small entity status is claimed, subtract 50% of Total Application Fee					
Add Assignment Recording Fee \$ if Assignment document is enclosed					
<b>TOTAL APPLICATION FEE DUE</b>					<b>\$1,876.00</b>

☐ This application is being filed without a filing fee. Issuance of a Notice to File Missing Parts of Application is respectfully requested.

☒ A check in the amount of \$ 1,876.00 is enclosed for the fee due.

☐ Charge \$            to Deposit Account No. 02-4800 for the fee due.

☒ The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Please address all correspondence concerning the present application to:

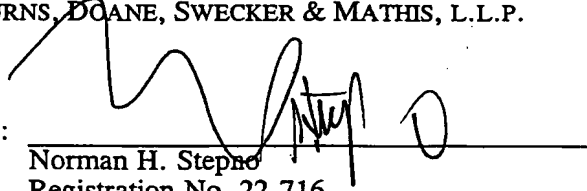
Norman H. Stepno, Esquire  
BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
P.O. Box 1404  
Alexandria, Virginia 22313-1404.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: July 11, 2001

By:

  
Norman H. Stepno  
Registration No. 22,716

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

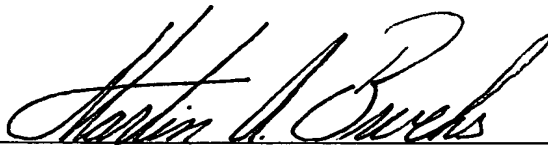
- d. ☒ Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

Burns, Doane, Swecker & Mathis, L.L.P.  
Customer Number 2 1 8 3 9  
P.O. Box 1404  
Alexandria, Virginia 22313-1404

APRIL 19, 2004

Date

By:



MARTIN A. BRUEHS

Registration No. 45,635

Address of signator:

Burns, Doane, Swecker & Mathis, L.L.P.  
P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

- ☐ inventor(s)  
☐ assignee of complete interest  
☒ attorney or agent of record  
☐ filed under 37 C.F.R. § 1.34(a)